



POLICY AND ADMINISTRATIVE PROCEDURES

Manual of Policies and Procedures

Title

YOUTH INCARCERATED AS ADULTS

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-8-2-5(a)(8)	01-01-101 01-04-101 01-02-101 02-04-101 01-02-106 03-02-103 01-03-105	ACA: ACI:4-4306, 4-4307, 4-4308, 4- 4309, 4-4310, 4-4311, 4-4312

I. PURPOSE:

The purpose of this policy is to present the placement criteria and services provided to offenders in the Youth Incarcerated as Adults (YIA) Program.

II. POLICY:

The Department of Correction recognizes that offenders under the age of 18 years and older offenders have different needs and may require different services in order to have a successful adjustment to a correctional facility. Offenders under the age of 18 years committed to adult facilities tend to have more adjustment problems and need to be supervised more closely to avoid inappropriate activities. Additionally, these younger offenders often need specialized services to aid in their adjustment to the Department.

Due to the special needs of this offender population, staff must be trained to provide the treatment and services needed by these offenders. In order to ensure that staff is aware of the special nature of these offenders, the Department shall develop a training program for staff who works routinely with this offender population. Staff working with this population on a routine basis shall participate in mandatory departmental training specific to the needs of these offenders.

The Department shall establish and maintain a Youth Incarcerated as Adult Program at facilities designated by the Commissioner. Offenders shall be identified for placement in this program upon intake at the Reception Diagnostic Center. Program components include, but are not limited to the following:

- A. Designated housing at an assigned facility;
- B. Educational services;
- C. Mental health and cognitive-behavioral services;
- D. Sex offender services;

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- E. Substance abuse services;
- F. Recreation; and,
- G. Work assignments.

Each designated facility shall develop case management procedures for this offender population.

The Department's Division of Planning shall conduct evaluations on the program established for the Youth Incarcerated as Adult Program to ensure that the program is adequately addressing the needs of this population.

III. DEFINITIONS:

For the purpose of the following administrative procedures, these definitions are presented:

- A. Director: The Director of the Division of Planning within the department.
- B. Primary Facilities: Those facilities housing adult offenders that have been designated as the facilities to which Youth Incarcerated as Adult offenders are to be housed.
- C. Secondary Facilities: Those facilities housing adult offenders that have been designated as back-up facilities for the Primary Facilities housing Youth Incarcerated as Adult offenders and that will house and provide programming to these offenders if the Primary Facilities can not do so.
- D. Youth Incarcerated as Adults (YIA): Those male offenders under the age of 18 years who have been committed as adults to the Department of Correction for the commission of a felony offense and who have been designated as such for the purpose of providing special programming.

IV. CRITERIA FOR PLACEMENT IN THE YOUTH INCARCERATED AS ADULTS (YIA) PROGRAM:

- A. All male offenders convicted of a criminal offense and sentenced to the Department under the age of 18 years shall be assigned to the YIA Program.
- B. All female offenders convicted of a criminal offense and sentenced to the Department under the age of 18 years are assigned to the Young Offenders Program at Indiana Women's Prison and are subject to the procedures of that program.

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- C. Adjudicated delinquent offenders and youths charged with offenses that would not be crimes if committed by adults shall not reside in an adult facility and shall not be considered for placement in this program.

V. INTAKE AT THE RECEPTION DIAGNOSTIC CENTER:

- A. Intake procedures for YIA offenders shall be in accordance with the administrative procedures for Policy 01-04-101, "Adult Offender Classification," and these administrative procedures.
- B. YIA offenders shall be housed together, whenever possible, during the intake process.
- C. A needs assessment designed to determine the individual needs of the YIA offender population shall be administered during the intake process.
- D. YIA offenders shall be screened for mental health needs.

VI. CLASSIFICATION:

- A. YIA offenders shall be assigned to one of the following facilities based on security level and offender need:

Primary Facilities (Male):

Level One	Medaryville Correctional Facility
Level Two/Three/Four	Wabash Valley Correctional Facility

Secondary Facilities (Male):

Level Two/Three	Plainfield Correctional Facility
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NOTE: For the purpose of this program, Level 3 offenders shall be considered for placement at the Plainfield Correctional Facility on a case-by-case basis.

Primary Facility (Female):

All Security Levels	Indiana Women's Prison
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- B. YIA offenders may be eligible for Work Release in accordance with the administrative procedures for Policy 01-04-101, "Adult Offender Classification" and any applicable state and federal laws, rules and regulations pertaining to child labor.

VII. HOUSING:

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Assignment in the YIA program shall result in placement in a designated housing unit within the offender's assigned facility unless a YIA offender is deemed inappropriate for placement in the designated housing unit for safety or security reasons (e.g. a predatory or violent offender) or medical reasons as recommended by appropriate health care staff. The reasons for not placing a YIA offender in the designated housing unit shall be documented and approved by the appropriate Regional Director. The offender shall be notified of the reason(s) for his removal from the designated housing unit and/or programming and what condition(s) must be met in order to be considered for return to the designated housing and/or programming. The facility head or designee shall review YIA offender placement outside the designated housing unit and/or programming at least quarterly to determine if such placement is appropriate. Housing types for youthful offenders shall be established per facility operational procedures and may vary from facility to facility.

YIA offenders shall be removed from the designated housing unit upon completion of the YIA program, when offender turns 18 years of age or for safety/security or medical/psychological reasons as recommended by appropriate staff. A written report shall be prepared and forwarded to the appropriate Regional Director for approval indicating the reasons why the offender was removed from the program if for reasons other than program completion or age.

VIII. PROGRAMMING:

A. Education Services

1. YIA offender participation in academic educational services shall be mandatory in accordance with individual need until the offender reaches the age of 18 years or until completion of high school or attainment of a General Education Diploma (GED).
2. YIA offenders with special education needs shall be provided services in accordance with the administrative procedures for Policy 01-01-101, "The Development and Delivery of Academic and Technical Education."
3. Offender refusal to participate in mandatory educational services shall result in disciplinary action in accordance with administrative procedures for Policy 02-04-101, "The Disciplinary Code for Adult Offenders."

B. Mental Health and Cognitive Programming

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1. All YIA offenders shall receive mental health services based on identified need.
2. All facilities designated to house YIA offenders shall provide cognitive-behavioral programming to all offenders assigned to the YIA program.
3. YIA offender participation in cognitive-behavioral programming is mandatory until the offender reaches the age of 18 years.
4. YIA offender refusal to participate in the mandatory cognitive-behavioral programming shall result in disciplinary action in accordance with Policy 02-04-101.

C. Sex Offender Management and Monitoring (SOMM)

All YIA offenders who meet the criteria for placement in the SOMM program are subject to applicable administrative procedures for the SOMM Program.

D. Substance Abuse

YIA offenders shall be provided the opportunity to participate in substance abuse services in accordance with administrative procedures for Policy 01-02-106, "The Development and Delivery of Substance Abuse Services."

E. Recreation

YIA offenders shall be provided reasonable opportunity for physical exercise in accordance with applicable administrative and operational procedures. When possible, YIA offenders shall recreate only with other YIA offenders.

IX. JOB ASSIGNMENT:

Offenders in the YIA program may be eligible for work assignments in accordance with administrative procedures and facility operational procedures of their assigned facility to the extent that such assignment does not interfere with the mandates of these administrative procedures. YIA offenders should not be placed in a work assignment involving the operation of heavy equipment. Work assignments shall be in accordance with all applicable state and federal law, rules and regulations pertaining to child labor.

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X. CASE MANAGEMENT:

Each facility shall develop case management procedures for YIA offenders in accordance with these procedures and all other applicable policies and administrative procedures. These procedures shall ensure that each YIA offender receives a needs assessment and classification plan that considers the physical, mental, social and educational maturity of the YIA offender.

XI. DISCIPLINE:

Offenders assigned to the YIA program shall be subject to all department and facility administrative and operational procedures as well as facility operation directives, consistent with these procedures.

- A. All YIA offenders shall be subject to disciplinary action in accordance with Policy 02-04-101, "The Disciplinary Code for Adult Offenders."
- B. The disciplinary hearing body for any disciplinary action involving a YIA offender shall be comprised of at least one (1) member who has received department YIA staff training.

XII. STAFF TRAINING:

- A. Any staff who has more than incidental contact on a daily basis with YIA offenders in the course of their assigned duties shall participate in mandatory Department YIA training.
- B. Staff training shall address the development, safety and specific needs of the YIA offender population and may include, but is not limited to: adolescent development, cognitive behavioral intervention and case management.
- C. Mandatory YIA staff training shall include an orientation program and annual in-service program provided by the facility training department utilizing program materials developed by the Division of Staff Development and Training.
- D. All duty to report child abuse or neglect laws are applicable to the YIA offender population. All staff shall be trained in their obligation to report child abuse or neglect in accordance with administrative procedures for Policy 03-02-103, "The Reporting, Investigation and Disposition of Child Abuse and Neglect." Each YIA offender shall be advised of the procedures for filing a complaint of abuse or neglect and the appropriate staff to contact in the event such an incident arises.

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XIII. YIA PROGRAM COMPLETION:

- A. YIA offenders who reach the age of 18 years may continue to be housed in YIA designated housing units contingent upon behavior and as long as such housing is in the best interests of the offender, the YIA population and the YIA program and its objectives.
- B. The Facility Head shall ensure that the program assignment of any YIA offender who turns 18 years old is reviewed to determine whether it is appropriate to permit the offender to complete education and/or cognitive-behavioral programming in accordance with these procedures.
- C. All mandates imposed by these procedures shall cease as they apply to a particular YIA offender when he or she reaches the age of 18 years.

XIV. PROGRAM EVALUATION:

The Division of Planning shall be responsible for conducting evaluations of the operation of the YIA Program. The Director of the Division of Planning shall determine the data that is to be collected for this evaluation and shall notify the facilities designated as YIA facilities as to what must be collected.

The intake facility and YIA designated facilities shall submit all data and information deemed necessary to evaluate the YIA Program to the Director of the Division of Planning at the intervals indicated by the Director.

The Director shall compile this data and present a report to the department's Executive Staff on an annual basis.

XV. APPLICABILITY:

This policy and administrative procedures shall be applicable to all offenders who meet the criteria to be considered Youth Incarcerated as Adults and all facilities housing those offenders classified as YIA offenders.

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Signature on File

J. David Donahue

Commissioner

11/02/05

Date